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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/814,577  | 03/31/2004  | Andrew D. Wilson     | MICR0482            | 6896             |
| 27792   | 7590        | 07/18/2006           | EXAMINER            |                  |
| RONALD M. ANDERSON<br>MICROSOFT CORPORATION<br>600 108TH AVENUE N.E., SUITE 507<br>BELLEVUE, WA 98004 |             |                      | HAUPT, KRISTY A     |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2876                |                  |

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



***Election/Restrictions***

1. This application contains claims directed to the following patentably distinct species:

- Species 1: A radial code is used for encoding the value (as shown in currently filed claims 3, 13 and 26)
- Species 2: A variable length linear code is used for encoding the value (as shown in currently filed claims 4, 15 and 28)
- Species 3: A variable bit-length code is used for encoding the value (as shown in currently filed claims 5, 16 and 29)
- Species 4: A multi-level, variable bit-length code is used for encoding the value (as shown in currently filed claims 6-8, 17-20 and 30-32)

The species are independent or distinct because Species 1, which includes a radial code having a radial area, is mutually exclusive of the requirements for all other species. Further, Species 2, which includes a variable length linear code having detectable area and predefined parallel strips of equal length and also having code portion disposed between the parallel strips is mutually exclusive of the requirements for all other species. Species 3, which includes a variable bit length code having a cue component with a predefined dimension always being smaller than the variable length dimension and further having a code portion with a first binary element at a predefined offset from the cue component is mutually exclusive of the requirements for all other species. Species 4 which includes a multi level variable bit length code having a cue component detectable at a binarization threshold and a cue component with a variable

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length dimension that indicates a reference orientation and indicates an extent of the code portion and a code portion that is detectable at a gray scale threshold is mutually exclusive of the requirements for all other species.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, Claims 1-2, 9-12, 14, 21-25 and 27 are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristy A. Haupt whose telephone number is (571) 272-8545. The examiner can normally be reached on M-F 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Katt

*Jared J. Fureman*  
**JARED J. FUREMAN**  
**PRIMARY EXAMINER**